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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,)	No. CR 07-00215 JF
)	
12 Plaintiff,)	STIPULATION TO CONTINUE
13 v.)	STATUS CONFERENCE AND
)	[PROPOSED] ORDER
14 CURTIS LEIGH PARRY,)	
)	
15 Defendant.)	
_____)	

16 Defendant Curtis Parry, by and through his attorney Nicholas P. Humy and the United
17 States, by and through Assistant United States Attorney Joseph Fazioli, hereby stipulate and
18 agree to request that the Court continue the hearing currently set for Wednesday, October 22,
19 2008 in the above captioned matter to Wednesday, October 29, 2008 at 9:00 a.m. The
20 continuance is necessary due to the unavailability of counsel for Mr. Parry.

21 The parties further agree and stipulate that time should be excluded from and including
22 October 22, 2008 through and including October 29, 2008, to provide counsel reasonable time to
23 prepare and for continuity of counsel, pursuant to Speedy Trial Act, 18 U.S.C. §3161(h)(8)(A)
24 and (B)(iv). Accordingly, the United States and the defendant agree that granting the requested

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1 exclusion of time will serve the interest of justice and outweigh the interest of the public and
2 defendant in a speedy trial.

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4 Dated: 10/20/08

_____/s/_____
NICHOLAS P. HUMY
Assistant Federal Public Defender

5
6 Dated: 10/20/08

_____/s/_____
JOSEPH A. FAZIOLI
Assistant United States Attorney

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10 **ORDER**

11 The parties have requested a continuance of the status hearing set for October 22, 2008
12 due to the unavailability of defense counsel.

13 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
14 presently set for October 22, 2008 be continued to October 29, 2008 at 9:00a.m. as well as the
15 period of delay from October 22, 2008, to and including October 29, 2008, be excluded for
16 purposes of Speedy Trial Act computations pursuant to Title 18, United States Code, Sections
17 3161(h)(8)(A) and 3161(h)(8)(B)(iv).

18 IT IS SO ORDERED.

19
20 Dated: 10/21/08



JEREMY FOGEL
United States District Judge